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Certificate of Mailing:

The undersigned certifies that this correspondence is being sent via ~~first-class~~ class mail, with adequate postage, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, this 6th day of February, 2006.

(s)

Saranel Salinas
Saranel Salinas

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appellant: Dubin et al.

Atty. Docket: ORT-1601

Serial No.: 10/090,215

Art Unit: 1647

Filed: March 4, 2002

Examiner: Jon McClelland Lockard

For: DNA ENCODING HUMAN
VANILLOID RECEPTOR VR3

Confirmation No.: 5197

Mail Stop Appeal Brief--Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION FOR EXTENSION OF TIME AND APPEAL FEE SUBMISSION

Sir:

Appellant requests a two-month extension of the period running from the filing of the Notice Of Appeal on October 5, 2005, for filing an appeal brief. Submitted herewith is Appellant's Brief Under 37 C.F.R. § 41.37.

Please charge the \$450.⁰⁰ fee for the 2-month extension of time and the \$500.⁰⁰ fee set forth at 37 C.F.R. § 41.20(b)(2) for the filing of a brief to Deposit Account No. 10-0750. If the accompanying payment is insufficient or if any other fees are due in connection with the filing of the enclosed brief, please charge such necessary fees to Deposit Account No. 10-0750.

Date: February 6, 2006

Respectfully submitted,

Linda S. Evans
Reg. No. 33,873